

**UNITED STATES DISTRICT COURT**  
**EASTERN DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,

Plaintiff-Respondent,

v.

LAWRENCE ROBINSON,

Defendant-Petitioner.

CASE NO. 1:97-CR-5129-LJO-3

ORDER SETTING BRIEFING SCHEDULE  
RE PETITIONER'S INEFFECTIVE  
ASSISTANCE OF COUNSEL CLAIM

(ECF No. 414)

On June 23, 2016, Petitioner Lawrence Robinson, through the Federal Defender's Office, filed a motion to vacate, set aside, or correct his sentence pursuant 28 U.S.C. § 2255, raising issues related to *Johnson v. United States*, 135 S. Ct. 2551 (2015), and *Welch v. United States*, 136 S. Ct. 1257 (2016). ECF No. 405. Petitioner simultaneously filed an application to the Ninth Circuit for leave to file a second or successive § 2255 motion. *Id.*

On September 22, 2016, Petitioner filed with the Ninth Circuit a second motion for authorization to file a successive § 2255 motion, therein raising a claim of ineffective assistance of counsel ("IAC"). ECF No. 414 at 1-2.

On March 21, 2017, the Ninth Circuit consolidated Petitioner's two § 2255 motions and authorized him to file both claims in this Court. ECF No. 404.

On March 24, 2017, this Court set a briefing schedule with regard to Petitioner's *Johnson-Welch* § 2255 claim. ECF No. 408. The Government filed its opposition to Petitioner's *Johnson-Welch* claim, ECF No. 411, and Petitioner filed his reply, ECF No. 413.

1 On May 23, 2017, Petitioner apprised the Court that it had not yet set a briefing schedule  
2 regarding his IAC claim. ECF No. 414. Accordingly,

3 **IT IS HEREBY ORDERED** that the Government shall file a response to Petitioner's § 2255  
4 IAC claim on or before **June 25, 2017**. From the date of the Government's filing, Petitioner shall  
5 have **30 days** to file a reply.

6  
7 IT IS SO ORDERED.

8 Dated: **May 24, 2017**

**/s/ Lawrence J. O'Neill**  
UNITED STATES CHIEF DISTRICT JUDGE